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MAY 12 2004

OFFICIAL

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number: 10/016,105  
Filing Date: 10/30/2001  
Applicant: Gord Nelson  
Examiner/ AU: Mark S. Graham/ 3711  
Application Title: GOLF-RELATED VIDEO RECORDING APPARATUS  
Docket Number: Nelson.G-01

## PETITION TO REVERSE NOTICE OF ABANDONMENT

Sir:

In the above application a Notice of Abandonment was mail by the PTO on 5/7/04. This petition asks that the notice be reversed and that prosecution of this application be continued for the following reason.

A non-final rejection of claims was mailed to my office by the PTO on 5/14/03.


A timely response was mailed under a certificate of mailing to the PTO on 8/14/03.

A Notice of Non-Compliant Amendment was mailed by the PTO on 9/30/03 giving a one-month period for response without need for extension. However, this notice was not received by our office until 12/14/03 giving us no chance for response by 10/30/03.

An amendment correcting the original (trivial) oversight was filed by applicant on 12/15/03. It is noted that the non-compliance in our response of 8/14/03 was a simple error in identifying the status of one claim as "cancelled" rather than "original." It is painfully clear that this error should have been corrected by examiner's amendment after a brief phone contact, to avoid the time delay and expense of formal amendment, not to mention the further difficulties we now are attending to.

I now respectfully request that the response of 12/15/03 be accepted as timely due to the mail system's delay of the Examiner's notice of non-compliance and that the abandonment of this application be withdrawn.

Respectfully submitted,

  
Gene Scott, Reg. No.: 37,930

Patent Law & Venture Group  
3140 Red Hill Avenue, Suite. 150  
Costa Mesa, CA 92626-3440  
Telephone: Phone: (714) 668-1900

MAY 12 2004

**OFFICIAL** *PATENT*

Practitioner's Docket No. Nelson.G-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gord Nelson

Application No.: 10/016,105

Group No.: 3711

Filed: 10/30/01

Examiner: Mark S. Graham

For: GOLF-RELATED VIDEO RECORDING APPARATUS

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

**CERTIFICATION OF FACSIMILE TRANSMISSION**

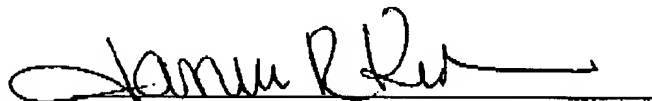
I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9306 on the date shown below:

Petition To Reverse Notice of Abandonment  
Copy of Response to Phone Conference dated 02/24/04  
Copy of Amendment filed 12/15/2003  
Copy of Amendment filed 8/14/2003  
Copy of Amendment filed 3/4/2003  
Copy of Notice of Abandonment

May 12, 2004

Date

Janice R. Kuhm

  
Signature

## Auto-R ply Facsimil Transmission



TO:

Fax Sender at 714 668 0583

Fax Information

Date Received:

2/24/2004 5:16:04 PM [Eastern Standard Time]

Total Pages:

1 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page

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02/24/04 TUE 15:19 FAX 714 668 0583

PATENT LAW & VENTURE

003

By Fax: 703/872-9302

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number: 10/016,103  
Filing Date: 10/30/2001  
Applicant: Gord Nelson  
Examiner/AU: Mark S. Graham/3711  
Application Title: GOLF-RELATED VIDEO RECORDING APPARATUS  
Docket Number: Nelson.G-01

### RESPONSE TO PHONE CONFERENCE

Sir:

On 2/23/04 a phone conference occurred between Mr. Gene Scott, inventor's representative, and Examiner Mark Graham. In the continuation of the above-cited application an Examiner's non-final rejection of claims was mailed on 5/14/03. Inventor's timely response to this rejection was filed on 8/14/2003 placing the application into condition for allowance. However, an Examiner's Notice of Non-Compliance Amendment was mailed on 9/30/03, giving a one-month period for response, i.e., by 10/30/03. However, this document was not received by this office until 12/14/03 giving us no chance for response by 10/30/03.

A correction was filed by applicant on 12/15/03. It is noted that the non-compliance was a simple error in identifying the status of one claim as "cancelled" rather than "original."

No request for time extension was filed with applicant's response of 12/15/03, and I now request that the response of 12/15/03 be accepted as timely due to the late receipt of the Examiner's notice of non-compliance.

To avoid final abandonment of this application applicant requests that Examiner notify our office prior to 2/29/04 if the above request will be accepted so that a response may be timely made thereon.

Respectfully submitted,

  
Gene Scott, Reg. No.: 37,930

Patent Law & Venture Group  
3140 Red Hill Avenue, Suite 150  
Costa Mesa, CA 92626-3440  
Telephone: Phone: (714) 668-1900

PAGE 1/1 RCVD AT 2/24/2004 5:16:04 PM [Eastern Standard Time] \* FAX:USPTO-EFAX-10 \* DNIS:8729306 \* CSID:714 668 0583 \* DURATION (mm:ss):05:18

\* \*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

TX/RX NO 4984  
CONNECTION TEL 17038729302  
SUBADDRESS  
CONNECTION ID  
ST. TIME 02/24 15:18  
USAGE T 00'37  
PGS. 1  
RESULT OK

*BY FAX: 703/872-9302*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Number: 10/016,105  
Filing Date: 10/30/2001  
Applicant: Gord Nelson  
Examiner/ AU: Mark S. Graham/ 3711  
Application Title: GOLF-RELATED VIDEO RECORDING APPARATUS  
Docket Number: Nelson.G-01

**RESPONSE TO PHONE CONFERENCE**

Sir:

On 2/23/04 a phone conference occurred between: Mr. Gene Scott, inventor's representative, and Examiner Mark Graham. In the examination of the above-cited application an Examiner's non-final rejection of claims was mailed on 5/14/03. Inventor's timely response to this rejection was filed on 8/14/2003 placing the application into condition for allowance. However, an Examiner's Notice of Non-Compliant Amendment was mailed on 9/30/03, giving a one-month period for response, i.e., by 10/30/03. However, this document was not received by this office until 12/14/03 giving us no chance for response by 10/30/03.

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No request for time extension was filed with applicant's response of 12/15/03, and I now request that the response of 12/15/03 be accepted as timely due to the late receipt of the Examiner's notice of non-compliance.

To avoid final abandonment of this application applicant requests that Examiner notify your office prior to 2/29/04 if the above request will be accepted so that a response may be timely made thereon.

Respectfully submitted,

*BY FAX: 703/872-9502*

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 12 2004

Application Number: 10/016,105  
Filing Date: 10/30/2001  
Applicant: Gord Nelson  
Examiner/ AU: Mark S. Graham/ 3711  
Application Title: GOLF-RELATED VIDEO RECORDING APPARATUS  
Docket Number: Nelson.G-01

OFFICIAL

## RESPONSE TO PHONE CONFERENCE

Sir:

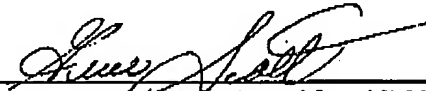
On 2/23/04 a phone conference occurred between: Mr. Gene Scott, inventor's representative, and Examiner Mark Graham. In the examination of the above-cited application an Examiner's non-final rejection of claims was mailed on 5/14/03. Inventor's timely response to this rejection was filed on 8/14/2003 placing the application into condition for allowance. However, an Examiner's Notice of Non-Compliant Amendment was mailed on 9/30/03, giving a one-month period for response, i.e., by 10/30/03. However, this document was not received by this office until 12/14/03 giving us no chance for response by 10/30/03.

A correction was filed by applicant on 12/15/03. It is noted that the non-compliance was a simple error in identifying the status of one claim as "cancelled" rather than "original."

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To avoid final abandonment of this application applicant requests that Examiner notify our office prior to 2/29/04 if the above request will be accepted so that a response may be timely made thereon.

Respectfully submitted,



Gene Scott, Reg. No.: 37,930

Patent Law & Venture Group  
3140 Red Hill Avenue, Suite. 150  
Costa Mesa, CA 92626-3440  
Telephone: Phone: (714) 668-1900

## Auto-R ply Facsimil Transmission



TO:

Fax Sender at 714 668 0583

Fax Information

Date Received:

Total Pages:

12/15/2003 7:55:16 PM [Eastern Standard Time]

2 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

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Cover  
Page

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12/15/03 MON 17:58 FAX 714 668 0583		PATENT LAW & VENTURE		001
Practitioner's Docket No. Nelson.G-01		PATENT		
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE				
In re application of: Gord Nelson				
Application No.: 10/016,103		Group No.: 3711		
Filed: 10/30/01		Examiner: Mark S. Graham		
For: GOLF-RELATED VIDEO RECORDING APPARATUS				
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450				
CERTIFICATION OF FACSIMILE TRANSMISSION				
I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office at (703) 872-0302 on the date shown below:				
Amendment (1 page)				
December 15, 2003 Date		Janice R. Kahrs Signature		
Certification of Facsimile Transmission - page 1 of 1				
PAGE 02 * RCVD AT 12/15/2003 7:55:16 PM Eastern Standard Time * SVR:USPTO-EFXXF-1/0 * DNIS:8729306 * CSID:714 668 0583 * DURATION (mm-ss):01-14				

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\*\*\* TX REPORT \*\*  
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TRANSMISSION OK

TX/RX NO 4801  
CONNECTION TEL 17038729302  
SUBADDRESS  
CONNECTION ID  
ST. TIME 12/15 17:58  
USAGE T 00'44  
PGS. 2  
RESULT OK

Practitioner's Docket No. Nelson.G-01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gord Nelson

Application No.: 10/016,105

Group No.: 3711

Filed: 10/30/01

Examiner: Mark S. Graham

For: GOLF-RELATED VIDEO RECORDING APPARATUS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION

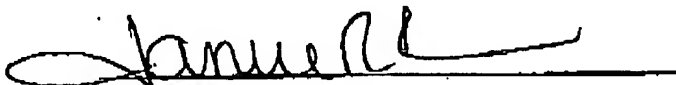
I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9302 on the date shown below:

Amendment (1 page)

Janice R. Kuhm

December 15, 2003

Date

  
Signature

Practitioner's Docket Nelson.G-01

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gord Nelson

Application No.: 10/016,105

Group No.: 3711

Filed: 10/30/01

Examiner: Mark S. Graham

For: GOLF-RELATED VIDEO RECORDING APPARATUS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**CERTIFICATION OF FACSIMILE TRANSMISSION**

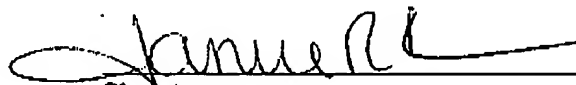
I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9302 on the date shown below:

Amendment (1 page)

Janice R. Kuhm

December 15, 2003

Date

  
Signature



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MAY 12 2004

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number: 10/016,105  
Filing Date: 10/30/2001  
Applicant: Gord Nelson  
Examiner/ AU: Mark S. Graham/ 3711  
Application Title: GOLF-RELATED VIDEO RECORDING APPARATUS  
Docket Number: Nelson.G-01

## AMENDMENT

Sir:

On 8/14/2003 we filed an amendment to the subject application. This is to correct an error in that amendment in compliance with the Office letter of 9/30/2003.

In the Claims:

To add the proper status identifier please replace claim 12 with the following:


12. (Cancelled)

REMARKS

In our amendment of 8/14/2003 the claim status identifier for claim 12 was erroneously labeled as: "(Original)" when in fact this claim was cancelled and should have been labeled so. This amendment is to formally correct this error in accordance with the Examiner's request.

The Office letter dated 9/30/2003 was not received by this office in a timely manner. Upon recently checking with the PAIR system, Paralegal-Janice Kuhm, of our office, discovered the PTO entry for the Office letter, and contacted Examiner Graham to obtain a copy. Examiner Graham has indicated that this present request should enable the Office to allow our current response as timely since we did not receive the Office letter of 9/30/2003 until 12/11/2003. This is to formally request same.

Respectfully submitted,

  
Gene Scott, Reg. No.: 37,930

Patent Law & Venture Group  
3140 Red Hill Avenue, Suite. 150  
Costa Mesa, CA 92626-3440  
Telephone: Phone: (714) 668-1900

*file copy***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Number: 10/016,105  
Filing Date: 10/30/2001  
Applicant: Gord Nelson  
Application Title: Golf-Related Video Recording Apparatus  
Examiner/ AU: M. Graham/ 3711  
Attorney Docket No.: Nelson.G-01(ST)

**AMENDMENT**

Sir:

In response to the Office action of 5/14/03, please amend the above-identified application as follows:

**In the Claims:**


1. (Currently Amended) A golf-related contest and game apparatus comprising: a single hole golf course fairway, and positioned at one end of the golf course fairway, a tee-off area, and positioned at another end of the golf course fairway, a golf green with cup area; a field house structure positioned adjacent the tee-off area; the field house structure housing an electrical power source, and energized thereby; a first video capturing means, a video storing means, and a video playback means; the apparatus further comprising a second video capturing means positioned adjacent the golf green with cup area; the apparatus electrically interconnected and enabled for capturing on video tape, golf ball drives from the tee-off area and golf ball arrivals at the golf green with cup area, and a coin or token access device engaged with the video storing means, and the video playback means, configured for enabling coin operation thereof, whereby golfers are able to obtain video recordings of golf play; and further comprising a motion sensing means adapted for actuating each of the video capturing means upon sensing motion in the field of view of each respective of the video capturing means, the video playback means configured to display video pictures from the first and second video capturing means simultaneously.
2. (Original) The apparatus of claim 1 wherein the first video capturing means is a video camera positioned relative to the tee-off area for viewing a tee of the tee-off area and for viewing the line of flight of a typical golf ball drive from the tee.

3. (Original) The apparatus of claim 1 wherein the second video capturing means is a set of three video cameras positioned at left, right and far center around the golf green with cup area relative to the tee-off area the three video camera set adjusted for viewing all of the golf green with cup area.
4. (Original) The apparatus of claim 1 wherein the video playback means is a video monitor.
5. (Original) The apparatus of claim 4 wherein the video playback means is enabled for display of views from the first and the second video capturing means simultaneously.
6. (Original) The apparatus of claim 1 wherein the electrical source comprises an electricity storing means, a solar powered electricity generator, a dc to ac inverter, an uninterruptible power supply, and a coin or token operated access device.
7. (Original) The apparatus of claim 6 further comprising a charging connector adapted for enabling charging of the electricity storing means by a standard ac power line.
8. (Cancelled)
9. (Currently Amended) A golf-related contest and game method comprising the steps of: providing a single hole golf course fairway, having positioned at one end, a tee-off area, and at another end, a golf green with cup area; positioning a field house structure adjacent to the tee-off area, activating video recording by placing one of coins and tokens in a coin operated switch; viewing golf play on the golf course fairway with a video capturing means; storing the captured video and playing back the captured video on demand in a screen showing views from plural video cameras simultaneously; whereby golfers are able to obtain video recordings of golf play; and further comprising the step of actuating the video capturing means by sensing motion on the fairway.
10. (Cancelled)
11. (Original) The method of claim 9 further comprising the step of operating video cameras by solar power.
12. (Original) The method of claim 11 further comprising the step of actuating the video cameras by sensing motion on the fairway.

REMARKS/ARGUMENTS

1. Applicant takes notice that the drawings are not objected to.
2. Claims 1-12 are pending in this application; claims 8 and 12 have been canceled, and claims 1 and 9 have been amended.
3. Claims 1-12 are rejected under 35 USC §103(a) as unpatentable over Nauck (1-5, 8-10) and also over Shirley (6, 7, 11 and 12). However, the above amendment traverses this rejection in that neither Nauck nor Shirley teaches the use of a coin operated field video recording capability such that a player may record his or her play on the hole. Also, the references do not teach the use of a split screen to show the view of all of the video cameras simultaneously. This is considered a critical capability and step to fulfill the objectives of the present invention and clearly distinguishes over the prior art. Therefore, independent claims 1 and 9 are now in condition for allowance and claims 2-7 and 11 and 12 respectively, are also in condition for the same reasons as for the independent claims upon which they depend. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

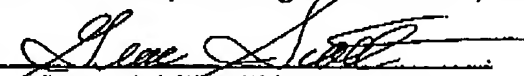
  
Gene Scott, Reg. No.: 37,930

Patent Law & Venture Group  
3151 Airway Avenue, Suite. K105  
Costa Mesa, CA 92626.  
Telephone: Phone: (714) 668-1900

Attachment: Version with markings to depict the changes made in this response.

Certification

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: "Box Fee Amendment, Commissioner of Patents, Washington, DC 20231," on 8/14/03 date of deposit.

Signature:   
Person Mailing This Document

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MAY 12 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number: 10/016,105  
Filing Date: 10/30/2001  
Applicant: Gord Nelson  
Application Title: Golf-Related Video Recording Apparatus  
Examiner/ AU: M. Graham/ 3711  
Attorney Docket No.: Nelson.G-01(ST)

OFFICIAL

## AMENDMENT

Sir:

In response to the Office action of 11/4/02, please amend the above-identified application as follows:

**In the Claims:**

Please cancel claims 8 and 12.

Please replace claims 1 and 9 with the following amended versions:

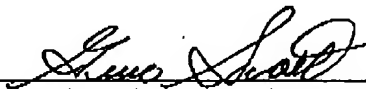
1. (Amended) A golf-related contest and game apparatus comprising: a single hole golf course fairway, and positioned at one end of the golf course fairway, a tee-off area, and positioned at another end of the golf course fairway, a golf green with cup area; a field house structure positioned adjacent the tee-off area; the field house structure housing an electrical power source, and energized thereby: a first video capturing means, a video storing means, and a video playback means; the apparatus further comprising a second video capturing means positioned adjacent the golf green with cup area; the apparatus electrically interconnected and enabled for capturing on video tape, golf ball drives from the tee-off area and golf ball arrivals at the golf green with cup area, whereby golfers are able to obtain video recordings of golf play; and further comprising a motion sensing means adapted for actuating each of the video capturing means upon sensing motion in the field of view of each respective of the video capturing means.
9. (Amended) A golf-related contest and game method comprising the steps of: providing a single hole golf course fairway, having positioned at one end, a tee-off area, and at another end, a golf green with cup area; positioning a field house structure adjacent to

the tee-off area; viewing golf play on the golf course fairway with a video capturing means; storing the captured video and playing back the captured video on demand; whereby golfers are able to obtain video recordings of golf play; and further comprising the step of actuating the video capturing means by sensing motion on the fairway.

**REMARKS/ARGUMENTS**

1. Applicant takes notice that the drawings are not objected to.
2. Claims 1-12 are pending in this application; claims 8 and 12 have been canceled, and claims 1 and 9 have been amended.
3. Claims 1-12 are rejected under 35 USC §103(a) as unpatentable over Nauck (1-5, 8-10) and also over Shirley (6, 7, 11 and 12). However, the above amendment traverses this rejection in that neither Nauck nor Shirley teaches the critical step of activating the system by motion sensing as taught in the instant specification and claims 8 and 12. Therefore, independent claims 1 and 8 are now in condition for allowance and claims 2-7 and 10 and 11 respectively, are also in condition for the same reasons as for the independent claims upon which they depend. The benefit of using motion sensing to start the video sequence is that no cropping or editing of the video tape is necessary. This is considered critical to a "coin" operated system whereby the completed tape is in condition for being delivered to the customer immediately upon completion and such video recording is then ready for playback.
4. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



Gene Scott, Reg. No.: 37,930

Patent Law & Venture Group  
3151 Airway Avenue, Suite. K105  
Costa Mesa, CA 92626.  
Telephone: Phone: (714) 668-1900

Attachment: Version with markings to depict the changes made in this response.

**Certification**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: "Box Fee Amendment, Commissioner of Patents, Washington, DC 20231," on 3/4/03 date of deposit.

Signature: 

Person Mailing This Document

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Claims:**

Claims 1 and 9 have been amended as follows:

1. (Amended) A golf-related contest and game apparatus comprising: a single hole golf course fairway, and positioned at one end of the golf course fairway, a tee-off area, and positioned at another end of the golf course fairway, a golf green with cup area; a field house structure positioned adjacent the tee-off area; the field house structure housing an electrical power source, and energized thereby; a first video capturing means, a video storing means, and a video playback means; the apparatus further comprising a second video capturing means positioned adjacent the golf green with cup area; the apparatus electrically interconnected and enabled for capturing on video tape, golf ball drives from the tee-off area and golf ball arrivals at the golf green with cup area, whereby golfers are able to obtain video recordings of golf play; and further comprising a motion sensing means adapted for actuating each of the video capturing means upon sensing motion in the field of view of each respective of the video capturing means.

9. (Amended) A golf-related contest and game method comprising the steps of: providing a single hole golf course fairway, having positioned at one end, a tee-off area, and at another end, a golf green with cup area; positioning a field house structure adjacent to the tee-off area; viewing golf play on the golf course fairway with a video capturing means; storing the captured video and playing back the captured video on demand; whereby golfers are able to obtain video recordings of golf play; and further comprising the step of actuating the video capturing means by sensing motion on the fairway.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number: 10/016,105  
Filing Date: 10/30/2001  
Applicant: Gord Nelson  
Application Title: GOLF-RELATED VIDEO RECORDING APPARATUS  
Examiner/ AU: M. Graham/ 3711  
Docket Number: Nelson.G-01(ST)

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MAY 12 2004

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## PETITION FOR EXTENSION OF TIME (Rules 136a and 17a-d)

Outstanding office action mailed: 11/04/2002

Original period for response expired on: 02/04/2003

Request for extension of one (1) months to: 03/04/2003

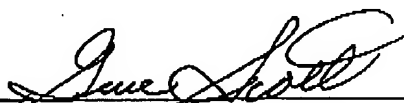
Small entity petition fee of \$55 is enclosed.

Commissioner for Patents  
Washington, District of Columbia 20231

Sir:

In the above application, applicant respectfully petitions that the period for response to the outstanding Office Action indicated above be extended as indicated above. A response to such Office Action and the above Petition Fee (Small Entity) are enclosed herewith.

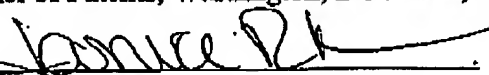
Very respectfully,

  
Gene Scott, 37,930 Agent of record

Please direct all communications to Mr. Gene Scott, Patent Law & Venture Group, 3151 Airway Avenue, Suite K105, Costa Mesa, CA 92626. Phone: (714) 668-1900, Fax: (714) 668-0583.

## Certification

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: "Box Fee Amendment, Commissioner of Patents, Washington, DC 20231," on March 4, 2003 date of deposit.

Signature:   
Person Mailing This Document



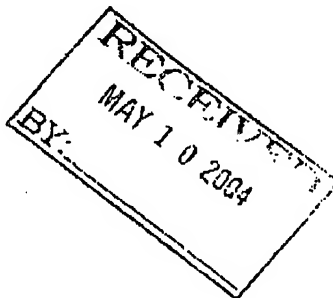
## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,105	10/30/2001	Gord Nelson	Nelson.G-01 (Stamp)	7952
22197	7590	05/07/2004	EXAMINER	
GENE SCOTT; PATENT LAW & VENTURE GROUP 3140 RED HILL AVENUE SUITE 150 COSTA MESA, CA 92626-3440			GRAHAM, MARK S	
			ART UNIT	PAPER NUMBER
			3711	

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



**Notice of Abandonment**

Application No.

10/016,105

Examiner

Mark S. Graham

Applicant(s)

NELSON, GORD


Art Unit

3711

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 30 September 2003.
  - (a) ☒ A reply was received on 15 December 2003 (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on 10/30/03.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:



Mark S. Graham  
Primary Examiner  
Art Unit: 3711

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.